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FISCAL IMPACT REPORT

SPONSOR Jennings DATE TYPED 03-04-05 HB _____

SHORT TITLE NMMI Career in Corrections Program SB 748

ANALYST Woods

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Relates to SB747

SOURCES OF INFORMATION

- LFC Files
- New Mexico Commission on Higher Education (CHE)
- New Mexico Corrections Department (NMCD)
- New Mexico Military Institute (NMMI)
- New Mexico Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 748 – Relating to Corrections; Providing for a Scholarship Program at the New Mexico Military Institute to Educate New Mexico Residents for Careers in Corrections – seeks to establish a corrections education program for students interested in careers in corrections. It also provides for a scholarship program at the New Mexico Military Institute (NMMI), with the advice of the New Mexico Corrections Department (NMCD) for New Mexico residents interested in careers in corrections and establishes internship programs at corrections department facilities for scholarship recipients. The legislation additionally seeks to authorize the secretary of the corrections department to transfer funds each fiscal year through an agreement, subject to available appropriations, to the NMMI Board of Regents for the scholarship program. There is no appropriation attached to this legislation.

Significant Issues

PED indicates that this legislation gives the Secretary of Corrections the power to enter into an agreement with the NMMI Board of Regents for NMMI to:

- offer corrections education scholarships to New Mexico residents;
- provide criteria for recruiting scholarship applicants and awarding scholarships;
and
- provide for internship programs at corrections department facilities for scholarship recipients.

This bill helps to expand the corrections program by allowing scholarship funding to be dispersed to New Mexico students for training in order to gain the necessary credits required to enter the field of corrections.

PED notes that NMMI began this initiative several years ago when there was a need to retain New Mexico students at the Institute. As described by the academic dean NMMI, high school students attending the Institute are transferring out of the state rather than continuing their post-secondary experience in criminal justice at the Institute. NMMI recognized this problem and worked to provide an appropriate high-caliber criminal justice program that could assist in keeping New Mexico students in New Mexico. However, the institution is still losing students to neighboring states that have effective scholarship programs that can assist students with the cost of higher education. NMMI has attempted to utilize a Memorandum of Understanding to transfer funds to the its board of regents for student scholarships; however, the dean indicates that the New Mexico Anti Donation Act prevented the transfer of scholarship funds from a state agency to occur.

NMCD indicates that providing scholarships for those interested in a career in corrections may result in a higher educated applicant for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to SB747 in that SB747 seeks to provide for the development of public safety officers for New Mexico through the establishment of a safety officer education program at the New Mexico Military Institute and provides means for a scholarship program to educate New Mexico residents for careers as public safety officers.

OTHER SUBSTANTIVE ISSUES

PED notes that language in the Constitution of the State of New Mexico, Article IV, Section 31 [Appropriations for charitable, educational, etc., purposes.] – “No appropriation shall be made for charitable, educational or other benevolent purposes to any person, corporation, association, institution or community, not under the absolute control of the state, but the legislature may, in its discretion, make appropriations for the charitable institutions and hospitals, for the maintenance of which annual appropriations were made by the legislative assembly of nineteen hundred and nine” – requires legislative action for these purposes.

BFW/sec